

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	Criminal No. 3:23-cr-16
v.)	
)	(18 U.S.C. §§ 371, 922(a)(1)(A),
)	922(d)(10), 922(g)(1), 922(o)(1), 923(a),
HARRY MILLER)	924(a)(1)(D), 924(a)(8), 933(a)(1), 933(b);
CRAIG ZAHRADNIK)	26 U.S.C. §§ 5812, 5861(a), 5861(e), 5871)
WAYNE FARABAUGH)	

INFORMATION

COUNT ONE

The United States Attorney charges:

THE CONSPIRACY AND ITS OBJECTS

From in and around May 2022, and continuing thereafter until on or about April 27, 2023, in the Western District of Pennsylvania, the defendants, HARRY MILLER, CRAIG ZAHRADNIK, and WAYNE FARABAUGH, knowingly and willfully did conspire, combine, confederate and agree together and with each other, and other persons known and unknown to the United States Attorney, to commit offenses against the United States, that is: engaging in the business of manufacturing and dealing in firearms without a license, in violation of Title 18, United States Code, Section 922(a)(1)(A).

MANNER AND MEANS OF THE CONSPIRACY

It was a part of the conspiracy that HARRY MILLER would purchase ammunition, and firearm components, including firearm build kits to assemble functional firearms, with funds provided by CRAIG ZAHRADNIK.

It was further a part of the conspiracy that HARRY MILLER and WAYNE FARABAUGH would assemble and manufacture unserialized personally made firearms (PMFs), without a Federal Firearms License (FFL).

It was further part of the conspiracy that HARRY MILLER would sell the firearms and provide a portion of the proceeds to CRAIG ZAHRADNIK. ZAHRADNIK did not have an FFL.

OVERT ACTS

In furtherance of the conspiracy, and to effect the objects of the conspiracy, the defendants, HARRY MILLER, CRAIG ZAHRADNIK, and WAYNE FARABAUGH, and other persons known and unknown to the United States Attorney, did commit and cause to be committed, the following overt acts, among others, in the Western District of Pennsylvania:

(a) From in and around May 2022, and continuing thereafter until on or about April 27, 2023, CRAIG ZAHRADNIK provided U.S. currency to HARRY MILLER to purchase ammunition and components used to manufacture and outfit PMFs.

(b) From in and around May 2022, and continuing thereafter until on or about April 27, 2023, using the funds provided by ZAHRADNIK, HARRY MILLER made in-person purchases of ammunition from FFLs and online purchases of components used to manufacture and outfit PMFs, including, but not limited to, Polymer 80 frame parts kits, AR-15 build kits, upper and lower receivers, triggers, threaded barrels, magazines, and silencers.

(c) From in and around May 2022, and continuing thereafter until on or about April 27, 2023, HARRY MILLER and WAYNE FARABAUGH used machinery, including a drill press, routers, and hand-held tools, to assemble and manufacture silencers and PMFs, including handguns, rifles, and short barrel rifles without serial numbers.

(d) On or about February 25, 2023, HARRY MILLER sold and transferred ammunition and the following PMFs, to wit:

- 1) Two Polymer 80 handguns, PMF, Model: PF940SC, 9mm caliber, no serial number; and
- 2) Two black silencers.

(e) On or about March 8, 2023, HARRY MILLER sold ammunition and the following PMFs, a machinegun, and silencers, to wit:

- 1) Pioneer Arms machinegun, Model PPS43-C, 7.62x25 caliber, S/N: MA00877P;
- 2) Polymer 80 handgun, PMF, Model: PF940C, 9mm caliber, no serial number;
- 3) Polymer 80 handgun, PMF, Model: PF940V2, 9mm caliber, no serial number; and
- 4) Two black silencers.

(f) On or about March 22, 2023, HARRY MILLER sold ammunition and the following PMFs, and silencers, to wit:

- 1) Three Polymer 80 handguns, Model: PF940C, 9mm caliber, no serial number;
- 2) Five short barrel rifles, PMF, multi-caliber, no serial number;
- 3) Rifle, PMF, multi-caliber, no serial number;
- 4) Four black silencers; and
- 5) Silver silencer.

(g) On or about March 8, 2023, and March 22, 2023, HARRY MILLER provided a portion of the proceeds from those sales to CRAIG ZAHRADNIK.

(h) On April 27, 2023, HARRY MILLER, and CRAIG ZAHRADNIK possessed the following PMFs, silencers, and machineguns that were intended for sale, to wit:

- 1) Three rifles, PMF, multi-caliber firearm, no serial number;
- 2) Ten short barrel rifles, PMF, multi-caliber, no serial number;
- 3) Two Polymer 80 handguns, PMF, 9mm caliber, no serial number;
- 4) Five rifles, PMF, multi-caliber, no serial number;
- 5) Five black silencers; and
- 6) Silver silencer.

In violation of Title 18, United States Code, Section 371.

COUNT TWO

The United States Attorney further charges:

From in and around May 2022, and continuing thereafter until on or about April 27, 2023, in the Western District of Pennsylvania, the defendants, HARRY MILLER and CRAIG ZAHRADNIK, not being licensed manufacturers or dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, did willfully engage in the business of manufacturing and dealing in firearms.

In violation of Title 18, United States Code, Sections 922(a)(1)(A), 923(a), and 924(a)(1)(D).

COUNT THREE

The United States Attorney further charges:

From on or about March 21, 2023, to on or about March 22, 2023, in the Western District of Pennsylvania, the defendant, CRAIG ZAHRADNIK, knowingly sold, disposed of, or transferred a firearm, that is, three Polymer 80 handguns, Model PF940C, 9mm caliber, no serial number, to HARRY MILLER, knowing and having reasonable cause to believe that HARRY MILLER intended to sell, dispose of, or transfer the firearm in furtherance of a felony, to wit: trafficking in firearms, contrary to the provisions of Title 18, United States Code, Section 933.

In violation of Title 18, United States Code, Sections 922(d)(10) and 924(a)(8).

COUNT FOUR

The United States Attorney further charges:

On or about March 22, 2023, in the Western District of Pennsylvania, the defendant, HARRY MILLER, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, namely:

1. Manufacture, or Deliver, or Possession with Intent to Manufacture or Deliver a Controlled Substance in violation of 35 P.S. § 780-113(a)(30) – The conviction occurred in the Blair County (Pennsylvania) Court of Common Pleas in Case Number CP-07-CR-756-2004 on or about September 27, 2004;

2. Possession of a Firearm by a Prohibited Person in violation of 18 P.S. § 6105 – The conviction occurred in the Blair County (Pennsylvania) Court of Common Pleas in Case Number CP-07-CR-1155-2016 on or about November 2, 2017;

knowingly possessed, in and affecting interstate commerce, a firearm, to wit:

a. three Polymer 80 handguns, Model PF940C, 9mm caliber, no serial number.

In violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIVE

The United States Attorney further charges:

On or about April 27, 2023, in the Western District of Pennsylvania, the defendant, HARRY MILLER, did knowingly and unlawfully possess machineguns as defined in Title 18, United States Code, Section 921(a)(24), and Title 26, United States Code, Section 5845(b), and which are further described as two machinegun conversion devices.

In violation of Title 18, United States Code, Section 922(o)(1).

COUNT SIX

The United States Attorney further charges:

On or about April 27, 2023, in the Western District of Pennsylvania, the defendant, CRAIG ZAHRADNIK, did knowingly and unlawfully possess machineguns as defined in Title 18, United States Code, Section 921(a)(24), and Title 26, United States Code, Section 5845(b), and which are further described as seven machinegun conversion devices.

In violation of Title 18, United States Code, Section 922(o)(1).

COUNT SEVEN

The United States Attorney further charges:

From in and around May 2022, and continuing thereafter until on or about April 27, 2023, in the Western District of Pennsylvania, the defendants, HARRY MILLER and CRAIG ZAHRADNIK, knowingly transferred and disposed of one or more firearms to another person, in or affecting interstate commerce, knowing or having reasonable cause to believe that the use, carrying, and possession of a firearm by the recipient would constitute a felony, as defined in Section 932(a).

In violation of Title 18, United States Code, Sections 933(a)(1) and 933(b).

COUNT EIGHT

The United States Attorney further charges:

From in and around May 2022, and continuing thereafter until on or about April 27, 2023, in the Western District of Pennsylvania, the defendants, HARRY MILLER and CRAIG ZAHRADNIK, knowingly engaged in the business of manufacturing and dealing in firearms without having paid the special occupational tax required by Title 26, United States Code, Section 5801, and without having registered as required by Title 26, United States Code, Section 5802.

In violation of Title 26, United States Code, Sections 5861(a) and 5871.

COUNT NINE

The United States Attorney further charges:

From on or about March 21, 2023, to on or about March 22, 2023, in the Western District of Pennsylvania, the defendants, HARRY MILLER and CRAIG ZAHRADNIK, knowingly and unlawfully transferred firearms, to wit:

- 1) Five short barrel rifles, PMF, multi-caliber, no serial number;
- 2) Four black silencers;
- 3) Silver silencer; and
- 4) One machinegun conversion device,

not registered to them in the National Firearms Registration and Transfer Record.

In violation of Title 26, United States Code, Sections 5812, 5861(e) and 5871.

FORFEITURE ALLEGATIONS

1. The United States re-alleges and incorporates by reference the allegations contained in Count One through Count Nine of this Information for the purpose of alleging criminal forfeiture. The United States hereby notifies the defendants that, upon their conviction for any of the offenses charged in this Information, the United States will seek forfeiture pursuant to Title 18, United States Code, Section 924(d); Title 26, United States Code, Section 5872(a); and Title 28, United States Code, Section 2461(c); that require any person convicted for committing these offenses to forfeit to the United States any property used, or intended to be used, in any manner to commit, and to facilitate the commission of, such offenses, including, but not limited to, the following:

a) Items seized on February 25, 2023, at 3312 Pleasant Valley Boulevard,

Altoona, PA:

- 1) Two Polymer 80 handguns, PMF, Model PF940SC, 9mm, no serial number;
- 2) Two black silencers; and
- 3) Ammunition.

b) Items seized on March 8, 2023, at 146 Limestone Road, Hollidaysburg, PA:

- 1) Pioneer Arms machinegun, Model PPS43-C, 7.62x25 caliber, serial number (S/N): MA00877P;
- 2) Polymer 80 handgun, PMF, Model PF940C, 9mm, no serial number;
- 3) Polymer 80 handgun, PMF, Model PF940V2, 9mm, no serial number;
- 4) Two black silencers; and
- 5) Ammunition.

c) Items seized on March 22, 2023, at State Game Lands 166, Altoona, PA:

- 1) Three Polymer 80 handguns, Model PF940C, 9mm, no serial number;
- 2) Five short barrel rifles, PMF, multi-caliber, no serial number;
- 3) Rifle, PMF, multi-caliber, no serial number;
- 4) Four black silencers;

- 5) Silver silencer;
 - 6) Machine gun conversion device; and
 - 7) Ammunition.
- d) Items seized on April 27, 2023, from 816 Green Avenue, Altoona, PA:
- 1) Three rifles, PMF, multi-caliber, no serial number;
 - 2) Smith & Wesson, Model M&P Shield, .40 caliber, S/N HVL1460;
 - 3) Taurus pistol, Model Tracker, .22 caliber, S/N: DW292557;
 - 4) Glock pistol, Model 30, .45 caliber pistol, S/N: SKA581;
 - 5) SCCY Industries pistol, Model CPX-2, 9mm caliber, S/N: C290238;
 - 6) Two machine gun conversion devices;
 - 7) Two black silencers;
 - 8) Silver silencer; and
 - 9) Ammunition.
- e) Items seized on April 27, 2023, from 504 56th Street, Altoona, PA:
- 1) Ruger rifle, Model Mini 14, .223 caliber, S/N: 180-26007;
 - 2) Remington Arms shotgun, Model 870 Express Magnum, 12-gauge caliber, S/N: D276446M;
 - 3) Anderson Manufacturing rifle, Model AM-15, multi-caliber, S/N: 19217409;
 - 4) Ruger rifle, Model Precision, .308 caliber, S/N: 1800-38440;
 - 5) Anderson Manufacturing rifle, Model AM-15, multi-caliber, S/N: 19217412;
 - 6) Palmetto State Armory rifle, Model G3-10, multi-caliber, S/N: G315943;
 - 7) Remington Arms shotgun, Model 12, 12-gauge caliber, S/N: PC157817;
 - 8) Magnum Research Inc. pistol, Model Desert Eagle 1911G, .45 caliber, S/N: G027216;
 - 9) Sig-Sauer pistol, Model P365, 9mm caliber, S/N: 66A410800;
 - 10) Ruger rifle, Model American, unknown caliber, S/N: 690-41396;
 - 11) Smith & Wesson rifle, Model 9478, unknown caliber, S/N: SY45087;
 - 12) Savage shotgun, Model 9478, 12-gauge caliber, S/N: D995954 ;
 - 13) Mossberg shotgun, Model 535, 12-gauge caliber, S/N: AT026277;
 - 14) Remington Arms rifle, Model 710, 30-06 caliber, S/N: 71209444;
 - 15) Mossberg shotgun, unknown model, unknown caliber, S/N: MV32328V;
 - 16) Auto Ordinance handgun, Model 1911, .45 caliber, S/N: A0C48753;
 - 17) Ruger rifle, American, unknown caliber, S/N: 693-28111;
 - 18) Winchester shotgun, Model 1400, 12-gauge caliber, S/N: N565896;
 - 19) Colt revolver, unknown model, .38 caliber, S/N: 568098;
 - 20) Colt revolver, Model Official Police, .22 caliber, S/N: 36950; and

21) Ammunition.

- PA: f) Items seized on April 27, 2023, from 408 Piedmont Drive, Duncansville,
- 1) Henry Repeating rifle, Model H006 Big Boy, .44 caliber, S/N: BB0097472;
 - 2) Henry Repeating rifle, Model Silver Eagle, .22 caliber, S/N: SE002970;
 - 3) Winchester rifle, Model 94, 30-30 caliber, S/N: 5030131;
 - 4) Ruger rifle, Model Marlin 1895, 45-70 caliber, S/N: RM0008029;
 - 5) Benelli shotgun, Model M4, 12-gauge caliber, S/N: Y109216E19;
 - 6) Benelli shotgun, Model M4, 12-gauge caliber, S/N: Y110970F19;
 - 7) Remington shotgun, Model 870, 12-gauge caliber, S/N: RS18749Y;
 - 8) Remington shotgun, Model 870, 12-gauge caliber, S/N: RS46079X;
 - 9) FN Herstal rifle, Model PS90, 5.7x28 caliber, S/N: FN110846;
 - 10) Sig Sauer rifle, Model 716I Tread, 7.62 caliber, S/N: 23D009145;
 - 11) FN Herstal pistol, Model Five-Seven, 5.7x28 caliber, S/N: 386307306;
 - 12) Benelli shotgun, Model M4, 12-gauge caliber, S/N: Y112220M19;
 - 13) Kahr Arms pistol, Model 1911A1, .45 caliber, S/N: AOA51307;
 - 14) Colt rifle, Model Carbine, 5.56 caliber, S/N: CR061403;
 - 15) Remington shotgun, unknown model, 12-gauge caliber, S/N: RAF001504;
 - 16) Colt pistol, Model 1911, .45 caliber, S/N: SCS338;
 - 17) Glock pistol, Model 19, 9mm caliber, S/N: AFCG102;
 - 18) Girsan pistol, Model MC 1911 S, .45 caliber, S/N: T6368-22DV00341;
 - 19) PTR pistol, Model PTR91, 9mm caliber, S/N: 9MC014001;
 - 20) Fabrica D'Arm revolver, Model Eliminator, .357 caliber, S/N: E082584;
 - 21) PTR pistol, Model PTR91, 9mm caliber, S/N: 9MC013904;
 - 22) Radical Firearms rifle, Model RF-15, multi-caliber, S/N: 21-026116;
 - 23) Ruger rifle, Model Hightower HTA 90/22, .22 caliber, S/N: unknown;
 - 24) Glock pistol, Model 43, 9mm caliber, S/N: AFEZ867;
 - 25) Ammunition; and
 - 26) \$1,000 in U.S. Currency.

- g) Items seized on April 27, 2023, from a white 2014 RAM Truck bearing Pennsylvania Registration ZTW-1035; Vehicle Identification Number (VIN): 1C6RR7NT8ES313552:

- 1) Three short barrel rifle, PMF, multi-caliber, no serial number;

- 2) Two Polymer 80 handgun, PMF, 9mm, no serial number;
- 3) Three black silencers; and
- 4) Ammunition.

h) Items seized on April 27, 2023, from U-Haul Storage Unit 1219, 1 Golf Drive, Altoona, PA:

- 1) Seven short barrel rifles, PMF, multi-caliber, no serial number;
- 2) Five rifles, PMF, multi-caliber, no serial number;
- 3) Four machine gun conversion devices – drop-in auto sear;
- 4) Three Machine gun conversion devices – Glock switch; and
- 5) Nine Polymer 80 handgun PMF kits.

i) Vehicle seized on April 27, 2023, at 499 PA Route 164, Duncansville, PA: 2019 GMC Sierra Truck, bearing Pennsylvania Registration ZRB-3722 and Vehicle Identification Number (VIN):3GTP9EEL1KG200940.



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